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4. THE UNITED STATES DISTRICT COURT
5. WESTERN DISTRICT OF WASHINGTON
6. AT SEATTLE

7. ALASKA GROWTH CAPITAL BIDCO, INC.,
8. an Alaska corporation,

9. Plaintiff,

10. v.

11. AKUTAN, Official Number 288598, its engines,
12. tackle, rigging, equipment, and other
13. appurtenances, etc., *In Rem*;

14. and

15. KLAWOCK OCEANSIDE, INCORPORATED,
16. a Washington Corporation, LAURENCE E.
17. LANG, an individual, CARSON V. LANG, an
18. individual, and MARY L. LANG, an individual,
19. *In Personam*,

20. Defendants.

IN ADMIRALTY

Case No.: C17-0734RSM

**ORDER DENYING ISSUANCE
OF ARREST WARRANT**

21. THIS MATTER comes before the Court on Plaintiff's Motion for Arrest of
22. Vessel AKUTAN. Dkt. #2. The Court has reviewed the verified Complaint, along with
23. the remainder of the record and hereby denies Plaintiff's motion for the following reason.
24. Plaintiff fails to provide sufficient facts or evidence to find that the vessel is currently
25. within this jurisdiction. The sole allegation in the Complaint regarding jurisdiction is that
26. "the Vessel that is the subject of this action is now or during the pendency of this action
will be within this judicial district." Dkt. #1 at ¶ 2 (emphasis added). No specific Vessel
location is provided, and it is not clear where the Marshal in this District would actually
execute any arrest. Accordingly, Plaintiff's Motion for Arrest (Dkt. #2) is DENIED.

1. As a result, Plaintiff's related Motion for Substitute Custodian (Dkt. #3) is
2. DENIED AS MOOT.

3. Nothing in this Order prevents Plaintiff from renewing its motions once additional
4. evidence that the Vessel is within the Court's jurisdiction can be provided.

5. DATED this 11th day of May, 2017.

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9. RICARDO S. MARTINEZ
10. CHIEF UNITED STATES DISTRICT
11. JUDGE